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10 ATTORNEYS FOR DEFENDANT DOCTORS MEDICAL CENTER OF MODESTO, INC.

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 BOARD OF TRUSTEES OF THE
15 LABORERS HEALTH AND WELFARE
16 FUND FOR NORTHERN CALIFORNIA,

17 Plaintiff,

18 vs.

19 DOCTORS MEDICAL CENTER OF
20 MODESTO, INC. and AMERICAN
21 ARBITRATION ASSOCIATION, INC.

22 Defendants.

23 Case No. C 07-01740 EMC

24 ASSIGNED TO THE HON. EDWARD M. CHEN

25 **STIPULATION AND ORDER RE
26 WITHDRAWAL OF
27 DEFENDANT'S MOTION FOR
28 ATTORNEY'S FEES AS COSTS**

29 DATE: OCTOBER 17, 2007

30 TIME: 10:30 A.M.

31 COURT ROOM: C

32
33 **TO THE COURT, THE PARTIES AND THEIR COUNSEL OF RECORD:**

34 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff
35 BOARD OF TRUSTEES OF THE LABORERS HEALTH AND WELFARE FUND
36 FOR NORTHERN CALIFORNIA and Defendant DOCTORS MEDICAL CENTER OF

1 MODESTO, INC. ("DMC") that DMC shall withdraw and the Court shall take off
2 calendar DMC's Motion for Attorney's Fees as Costs.

3
4 Dated: October 11, 2007

BULLIVANT HOUSER BAILEY PC

5
6
7 By:

Susan Olson
Ronald L. Richman
Marilyn Raia
C. Todd Norris

8
9
10 Attorneys for Plaintiff BOARD OF
11 TRUSTEES OF THE LABORERS HEALTH
12 AND WELFARE FUND FOR NORTHERN
13 CALIFORNIA

14
15 Dated: October 11, 2007

16 HELTON LAW GROUP, LLP

17 By:

18 CARRIE S. McLAIN

JAMES B. HILLSBURG

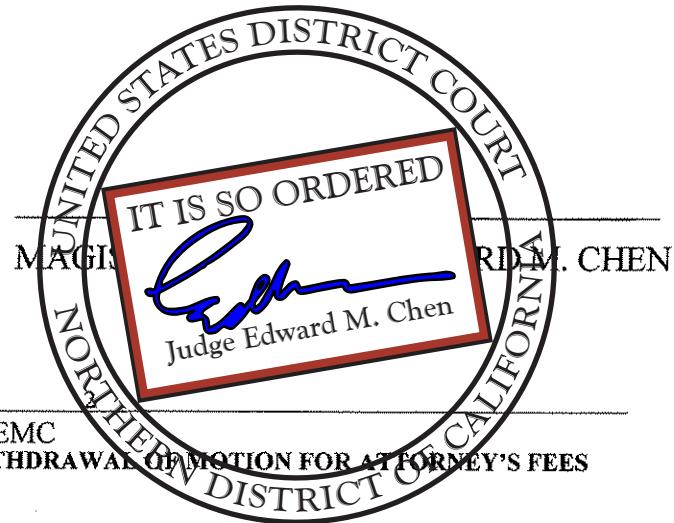
19 Attorneys for Defendant DOCTORS
20 MEDICAL CENTER OF MODESTO, INC.

21 IT IS HEREBY ORDERED that the Motion for Attorney's Fees as Costs by
22 Defendant DOCTORS MEDICAL CENTER OF MODESTO, INC. is hereby
23 withdrawn and taken off calendar.

24 IT IS SO ORDERED.

25 October 16, 2007

26 Dated: _____



PROOF OF SERVICE

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STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 401 E. Ocean Blvd., Ste. 1010, Long Beach, California 90802.

On October 15, 2007, I served the foregoing document described as
**STIPULATION AND ORDER RE WITHDRAWL OF DEFENDANT'S
MOTION FOR ATTORNEY'S FEES AS COSTS** as follows:

Susan Olson
Joye Blanscett
Stacey DiCicco
BULLIVANT HOUSER BAILEY PC
601 S. California St., Ste. 1800
San Francisco, CA 94108
Telephone: (415) 352-2700
Fax: (415) 352-2701

Attorneys for Plaintiff
**BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND
WELFARE TRUST FUND FOR
NORTHERN CALIFORNIA**

X BY MAIL

I caused such envelope to be deposited in the mail at Long Beach, California. The envelope was mailed with postage thereon fully prepaid.

BY FACSIMILE

I caused such documents to be served via facsimile transmittal to the office of the addressee herein described.

BY PERSONAL SERVICE

I caused the foregoing document to be personally served on the interested parties herein described.

I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on the same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on October 15, 2007 at Long Beach, California.

I declare that I am employed in the office of a member of the bar of this Court whose direction the service was made.

JESSICA ERMET